

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

X

In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹

X

ORDER REGARDING PROCEDURES FOR HEARINGS
ON JANUARY 19-20, 2022, AND FEBRUARY 16-17, 2022

The Court will conduct a hearing on certain omnibus claim objections in the above-captioned cases (the “Hearings”) beginning at **9:30 a.m. (Atlantic Standard Time) (8:30 a.m. Eastern Standard Time)** on **January 19, 2022**, and another beginning at **9:30 a.m. (Atlantic Standard Time) (8:30 a.m. Eastern Standard Time)** on **February 16, 2022**. The Court will conduct the Hearings virtually using videoconferencing and telephonic platforms as set forth herein. The Hearings shall be governed by the following procedures.

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Registration for Videoconference; Listen-In Facilities for Attorneys, Members of Public and Press

1. **Videoconferencing via Zoom.** The Court will conduct the Hearings using a combination of the audio and video features of the Zoom platform and facilitating live participation for pro se participants who are scheduled to present in connection with the Hearings.² Attorneys who are appearing in connection with a matter scheduled for the Hearings will be permitted to register their appearance by filing an Informative Motion in accordance with paragraph 3 below. Pro se participants, who shall appear in person, are not required to file an Informative Motion. The Court will circulate an invitation to register for Zoom access to those attorneys who have properly filed an Informative Motion. Attorneys must respond to the invitation to register for Zoom access and will automatically receive an email confirmation with a link and relevant login information to join the virtual proceeding. To optimize performance of the Zoom platform and in the interest of avoiding excessive billing of fees, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) shall be limited to three attorneys appearing in the Zoom session at any given time, and each other party appearing in connection with a matter scheduled for the Hearings shall be limited to two attorneys. **Only persons who are identified in properly submitted Zoom registration documents, including a Party Appearance Sheet, will be permitted to appear at the Hearing.** Recording and retransmission of the proceedings by any means are prohibited.

² In accordance with the *Order Regarding Adjourned Omnibus Objections to Claims* (Docket Entry No. 19461 in Case No. 17-3283) (the “Adjournment Order”), pro se participants who have timely responded to the Hearing Notice (as that term is defined in the Adjournment Order) shall appear in person at the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767.

2. **Listen-Only Access to the Hearing.** Attorneys, members of the public, and press may **listen to but not view or participate in** the Hearing by dialing (888) 363-4749 and, when prompted, entering the access code (7214978) and the security code which will be 6243 (for the hearing scheduled for **January 19-20, 2022**) and 8119 (for the hearing scheduled for **February 16-17, 2022**). This telephonic access line for the press and the general public will be in listen-only mode at all times. Recording and further broadcasting of the proceedings by any means remain prohibited.

3. **Attorney Registration to Participate in the Hearings via Zoom.** For each matter scheduled to be heard at the Hearings, counsel who intend to speak must jointly file an informative motion by **January 14, 2022, at 12:00 p.m. (Atlantic Standard Time) (11:00 a.m. Eastern Standard Time)** for the hearing scheduled for **January 19, 2022**, and by **February 11, 2022, at 12:00 p.m. (Atlantic Standard Time) (11:00 a.m. Eastern Standard Time)** for the hearing scheduled for **February 16, 2022**, identifying (a) the relevant claim objection, (b) the parties who intend to appear and speak in connection with the relevant claim objection or response, (c) the names of no more than two individuals who intend to speak on behalf of each party in connection with the relevant claim objection or response, (d) the order in which the parties to the relevant matter shall present argument, and (e) time allocations for each speaker. In addition, counsel for each represented Party **must** be listed on the Party Appearance Cover Sheet which is annexed to the Party's Informative Motion as Exhibit A.

Pre-Hearing Deadlines

4. An agenda outlining the matters to be addressed shall be filed by Debtors' counsel by **January 17, 2022**, for the hearing scheduled for **January 19, 2022**, and by **February 14, 2022**, for the hearing scheduled for **February 16, 2022**, in accordance with the Thirteenth

Amended Case Management Procedures. (See Docket Entry No. 17127-1 § III.M.) The agenda shall also include the information filed pursuant to Paragraph 3, supra, and the following information: (a) the relevant claim objection(s) and the names of the individuals presenting responses to the claim objection(s) for each time slot, (b) the attorney or pro se party presenting the claim objection(s) for each time slot, (c) whether an individual presenting a claim objection response requires an interpreter, and (d) a time allocation (taking into account any anticipated need for interpretation) for each matter to be heard. Debtors' counsel shall file a revised agenda if circumstances have changed or if requested to do so by the Court. Debtors' counsel shall email a proposed agenda, including preliminary time allocations, to the Court by **January 14, 2022, at 12:00 p.m. (Atlantic Standard Time) (11:00 a.m. Eastern Standard Time)** for the hearing scheduled for **January 19, 2022**, and by **February 11, 2022, at 12:00 p.m. (Atlantic Standard Time) (11:00 a.m. Eastern Standard Time)** for the hearing scheduled for **February 16, 2022**.

5. Pursuant to the Adjournment Order, the Debtors shall submit an electronic hearing binder to the Court to swaindprcorresp@nysd.uscourts.gov by **January 18, 2022, at 12:00 p.m. (Atlantic Standard Time) (11:00 a.m. Eastern Standard Time)** for the hearing scheduled for **January 19, 2022**, and by **February 15, 2022, at 12:00 p.m. (Atlantic Standard Time) (11:00 a.m. Eastern Standard Time)** for the hearing scheduled for **February 16, 2022**. The electronic binder shall consist of one consolidated, bookmarked PDF containing CM/ECF-stamped courtesy copies of all of the pleadings relevant to each of the Hearings. The bookmarks must be placed so as to provide access to the pleadings for each of the matters to be heard.

6. **Courtroom Formalities.** All persons are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of this

prohibition may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. The formalities of a courtroom must be observed. When appearing by Zoom, each counsel must be situated in such a manner as to be able to view the video screen and be seen by the Court. Each Party's camera must be turned on when addressing the Court or examining a witness (if necessary). Those appearing by Zoom may be removed from the virtual courtroom if they do not comply with this Order.

7. During the Hearings, individuals who are registered to participate via Zoom are directed to observe the following rules:

- a. The following naming conventions must be used by Zoom participants for admission to the Zoom virtual courtroom. For example:
 - i. Attorney participants: [Party Represented (abbreviations may be used)] / [Last Name of Attorney, First Name of Attorney] / [Law Firm/Government Office].
 - a. PARTY A / Doe, John / ABC Law Firm, or
 - b. XYZ Agency/ Doe, Jane / Office of the ABC Government
 - b. Identify yourself if asked to do so.
 - c. Identify yourself by name each time you speak.
 - d. Mute yourself when you are not speaking to eliminate background noise.
 - e. Turn off your video unless you are speaking or otherwise directly involved in the argument or examination, unless the Court directs otherwise.

SO ORDERED.

Dated: January 10, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge